

GOVERNMENT’S POSITION ON REDACTIONS AND SEALING FOR MOTIONS TRANSMITTED BY EMAIL
(PER THE COURT’S PAPERLESS ORDER, ECF No. 320)

1 - “President Trump’s Motion for Relief Relating to the Mar-a-Lago Raid and Unlawful Piercing of Attorney-Client Privilege”

MOTION:

Proposed redactions in red boxes, on pp. i, 2-3, 6-10, 14-17, 19-24. Rationale: Potential witness safety / witness names; references to non-public substance of potential witness testimony; references to content of sealed documents.

EXHIBITS:

Ex. No.	Redact / Seal / None	Justification	Additional Notes
1	None		
2	Redact	PII; potential witness safety/witness names; Jencks Act material for potential Government witness; details of potential witness testimony	Government requests substitution of judicially-approved public-facing redacted version of SDFL Mar-a-Lago Search Warrant (22-mj-8332).
3	Redact	PII; potential witness safety/witness names; list of FBI personnel involved in Mar-a-Lago search; sensitive non-public law-enforcement information	
4	Seal	Jencks Act material for potential Government witness; sensitive non-public details about the Mar-a-Lago search unrelated to proposition for which defense cites to exhibit	
5	Redact	Potential witness safety/witness names	
6	Redact	PII only	
7	Redact	PII only	
8	Seal	Potential witness safety/witness names; details potential witness testimony; Jencks Act material for potential Government	

		witness; ancillary names; Rule 6(e); references other non-public potential Government witness names and testimony	
9	Seal	Jencks Act material for potential Government witness; potential witness safety/witness names; references other non-public potential Government witness names and testimony	
10	Seal	Potential witness safety/witness names; potential witness testimony; Jencks Act material for potential Government witness; ancillary names; Rule 6(e); references other non-public potential Government witness names and testimony	
11	Redact	PII; potential witness safety/witness names; ancillary names	
12	Redact	PII; potential witness safety/witness names; Rule 6(e)	
13	Redact	Potential witness safety/witness names; ancillary names; Rule 6(e)	
14	Redact	PII; potential witness safety/witness names; Rule 6(e)	
15-19	Seal	Potential witness safety/witness names; potential witness testimony; ancillary names; Rule 6(e)	All currently under seal in D.C. The Government is moving D.C. court for limited unsealing, to yield redacted public versions. If permission is granted, the Government will propose substituting the redacted versions for these exhibits as the public-facing versions here.
20	Redact	Potential witness safety and/or ancillary names	

2 – Defendant Nauta’s “Motion for a Bill of Particulars”**MOTION:**

Proposed redactions in red boxes, on pp. 3, 5, and 6. Rationale: Potential witness safety / witness names; potential witness testimony.

EXHIBITS:

Ex. No.	If No Exhibit Number Provided, Exhibit Description	Redact / Seal / None	Justification	Requested Action
None	Nauta FBI Interview Transcript	Redact	Potential witness names / witness safety; references other non-public potential Government witness names and testimony; Jencks Act material for potential Government witness; remainder of transcript unrelated to proposition for which defense cites to exhibit	Limit exhibit to specific pages and portions related to proposition for which defense cites to exhibit, incorporating the Government’s proposed redactions to those pages.
None	Nauta GJ Transcript	Redact	Potential witness names / witness safety; references other non-public potential Government witness names and testimony; Rule 6(e); remainder of transcript unrelated to proposition for which defense cites to exhibit	Limit exhibit to specific pages and portions related to proposition for which defense cites to exhibit, incorporating the Government’s proposed redactions to those pages.

3 – Defendant Nauta’s “Motion to Dismiss” (1512/Vagueness)**MOTION:**

Proposed redactions in red boxes, on p. 3. Rationale: Potential witness safety / witness names; potential witness testimony.

EXHIBITS:

Ex. No.	If No Exhibit Number Provided, Exhibit Description	Redact / Seal / None	Justification	Requested Action
None	Nauta FBI Interview Transcript	Redact	Potential witness names / witness safety; references other non-public potential Government witness names and testimony; Jencks Act material for potential Government witness; remainder of transcript unrelated to proposition for which defense cites to exhibit	Limit exhibit to specific pages and portions related to proposition for which defense cites to exhibit, incorporating the Government’s proposed redactions to those pages.
None	Nauta GJ Transcript	Redact	Potential witness names / witness safety; references other non-public potential Government witness names and testimony; Rule 6(e); remainder of transcript unrelated to proposition for which defense cites to exhibit	Limit exhibit to specific pages and portions related to proposition for which defense cites to exhibit, incorporating the Government’s proposed redactions to those pages.

4 – Defendant Nauta’s “Motion to Suppress Evidence and for Return of Property and Request for Evidentiary Hearing and Franks Hearing”

MOTION:

Proposed redactions in red boxes on pp. 2, 3, 6-8, 10, 15, 17, 20, 22. Rationale: Potential witness safety / witness names; substance of potential Government witness trial testimony; potential trial exhibit(s).

EXHIBITS:

Ex. Letter	If No Exhibit Letter Provided, Exhibit Description	Redact / Seal / None	Justification	Additional Notes/Requested Action
A		Redact	PII; potential witness names / witness safety; references other non-public potential Government witness names and testimony	Government requests substitution of judicially-approved public-facing redacted version of SDFL Search Warrant for Nauta phones (22-mj-8547).
B		Redact	PII; potential witness names / witness safety; references other non-public potential Government witness names and testimony	Government requests substitution of judicially-approved public-facing redacted version of SDFL Search Warrant for Nauta car and phones (22-mj-8548).
C		Redact	PII; potential witness names / witness safety; references other non-public potential Government witness names and testimony	Government requests substitution of judicially-approved public-facing redacted version of SDFL Search Warrant for Nauta residence and phones (22-mj-8549).
D		Redact	PII; potential witness names / witness safety; references other non-public potential Government witness names and testimony	Government requests substitution of judicially-approved public-facing redacted version of SDFL Search Warrant for Nauta Microsoft 45 Office Email (22-mj-8533).

E		Redact	PII; potential witness names / witness safety; references other non-public potential Government witness names and testimony	Government requests substitution of judicially-approved public-facing redacted version of SDFL Search Warrant for Nauta Apple iCloud (22-mj-8489).
F		Seal	PII; potential witness names / witness safety; references other non-public potential Government witness names and testimony	Currently under seal in D.C. The Government is moving the D.C. court for limited unsealing, to yield a redacted public version. If permission is granted, the Government will propose substituting the redacted version for this exhibit as the public-facing version here.
G		Seal	PII; potential witness names / witness safety; references other non-public potential Government witness names and testimony	Currently under seal in D.C. The Government is moving the D.C. court for limited unsealing, to yield a redacted public version. If permission is granted, the Government will propose substituting the redacted version for this exhibit as the public-facing version here.
None	Nauta FBI Interview Transcript	Redact	Potential witness names / witness safety; references other non-public potential Government witness names and testimony; Jencks Act material for potential Government witness; remainder of transcript unrelated to proposition for which defense cites to exhibit	Limit exhibit to specific pages and portions related to proposition for which defense cites to exhibit, incorporating the Government's proposed redactions to those pages.
None	Nauta GJ Transcript	Redact	Potential witness names / witness safety; references other non-public potential Government witness names and testimony; Rule 6(e); remainder of transcript unrelated to proposition for which defense cites to exhibit	Limit exhibit to specific pages and portions related to proposition for which defense cites to exhibit, incorporating the Government's proposed redactions to those pages.

5 – “Defendant Waltine Nauta’s Motion to Dismiss the Superseding Indictment for Selective and Vindictive Prosecution”**MOTION:**

Proposed redactions in red boxes on pp. 12-13. Rationale: Potential witness safety / witness names; substance of potential Government witness testimony, Rule 6(e).

EXHIBITS:

Ex. No.	If No Exhibit Number Provided, Exhibit Description	Redact / Seal / None	Justification	Requested Action
1		Redact	PII; potential witness names / witness safety; references other non-public potential Government witness names and testimony	Government requests substitution of judicially-approved public-facing redacted version of SDFL Search Warrant for Nauta phones (22-mj-8547).
2	<i>Per defense counsel, no longer an exhibit</i>			
3		Redact	PII only	
4		Redact	PII only	
5		Redact	PII only	
6	<i>Per defense counsel, no longer an exhibit</i>			
7		Redact	PII only	
8	<i>Per defense counsel, no longer an exhibit</i>			
9		Redact	PII only	

10		Seal	Nauta FBI 302, cited solely for the general proposition that he was interviewed by the FBI on 5/26/22; Jencks Act material for potential Government witness; potential witness safety/witness names; references other non-public potential Government witness names and testimony	
11		Redact	Nauta GJ Transcript, cited solely for the general proposition that he testified in GJ on 6/21/22; potential witness names / witness safety; references other non-public potential Government witness names and testimony; Rule 6(e)	Limit exhibit to transcript cover page, incorporating the Government's proposed redaction to the ancillary name.
None	GJ Transcript of a Potential Witness	Seal	Potential witness safety/witness names; Jencks; potential witness testimony; references other non-public potential Government witness names and testimony; Rule 6(e); references other non-public potential Government witness names and testimony	
None	FBI Interview Transcript of a Potential Witness	Seal	Potential witness safety/witness names; Jencks Act material for potential Government witness; potential witness testimony; references other non-public potential Government witness names and testimony; Rule 6(e)	
None	FBI 302 for Interview of a Potential Witness	Seal	Potential witness safety/witness names; Jencks Act material for potential Government witness; potential witness testimony; references other non-public potential Government witness names and testimony; Rule 6(e)	
None	12/16/22 GJS for CCTV	Redact	PII only	

6 - “President Trump’s Motion to Dismiss the Indictment Based on Prosecutorial Misconduct and Due Process Violations”**MOTION:**

Proposed redactions in red boxes on pp. 4-8 and 20-21. Rationale: Potential witness safety / witness names; substance of potential Government witness testimony; Rule 6(e).

EXHIBITS:

Ex. No.	Redact / Seal / None	Justification	Additional Notes
1	Redact	PII; potential witness safety/witness names; Jencks Act material for potential Government witness; potential witness testimony; references other non-public potential Government witness names and testimony; ancillary names	
2	Seal	PII; potential witness safety/witness names; Jencks Act material for multiple potential Government witness; potential witness testimony; references multiple other non-public potential Government witness names and testimony	
3	Redact	PII only	
4	OK as is		
5	OK as is		
6	Redact	PII only	
7	Redact	PII only	
8	Redact	PII only	
9	Redact	Potential witness safety/witness names; potential witness testimony; Jencks Act material for potential Government witness; references multiple other non-public potential Government witness names and testimony	

10	Redact	PII only	
11	Seal	Grand jury transcript; Rule 6(e); Potential witness safety/witness names; Jencks; potential witness testimony	
12	Seal	86-page <i>ex parte</i> memorandum opinion, which defense attaches for the limited purpose of citing to a single footnote on a single page; potential witness names / witness safety; potential witness testimony; references multiple other non-public potential Government witness names and testimony	Currently under seal in D.C. The Government is moving the D.C. court for limited unsealing, to yield a redacted public version. If permission is granted, the Government will propose substituting the redacted version for this exhibit as the public-facing version here.
13	Seal	FBI 302 reflecting matter occurring before the grand jury that will not come out at trial; PII	
14	Redact	Potential witness safety/witness names; references names of potential Government witnesses who produced documents to the Government; references names of potential Government witnesses whose electronic devices were searched by the Government	
15	Redact	Potential witness safety/witness names; references names of potential Government witnesses who produced documents to the Government; references the FBI code-name of a separate investigation; references names of potential Government witnesses who were interviewed by the Government; references Grand Jury activity involving a witness	

7 - “President Trump’s Motion to Dismiss the Indictment Based on Selective and Vindictive Prosecution”

MOTION:

Proposed redactions in red boxes on p. 19. Rationale: Potential witness safety / witness names; substance of potential Government witness testimony.

EXHIBIT:

Ex. No.	Redact / Seal / None	Justification	Requested Action
1 - 11	None		
12	Redact	PII; Potential witness safety/witness names	
13	Redact	PII; Potential witness safety/witness names; potential witness testimony; Jencks Act material for potential Government witness; references other non-public potential Government witness names and testimony	

8 – Nauta’s “Defendants’ Motion to Dismiss the Indictment”

MOTION:

Proposed Redactions to Motion: None.

EXHIBITS:

Proposed Redactions to Exhibits: N/A